

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Defendants Ocwen Loan Servicing, LLC (“Ocwen”), Cooper Castle Law Firm, LLP (“Cooper Castle”), Defendants’ Attorney Aaron M. Waite, and Attorney Jason Peck, have responded in writing to the Court’s Order to Show Cause as to why the Court should not issue sanctions for drafting and filing a motion with the Court before entering an appearance of record, for using the account of another attorney to file motions electronically, and for violating the Court’s scheduling order. The Court has considered the explanations provided and declines to issue sanctions at this time.

Attorney Peck has now filed a Notice of Appearance in this case. Although his failure to file a notice of appearance may be due to an oversight, the Court reminds Attorney Peck that it can only consider the filings of attorneys of record. Accordingly, Attorney Peck should exercise greater diligence in ensuring he abides by the rules of the Court in the future.

Additionally, the Court recognizes that certain documents are filed by paralegals; however, it is the supervising attorney's duty to ensure those non-lawyer subordinates' actions are in accordance with the rules of the Court. Going forward, Attorney Waite must ensure that his subordinate associates and paralegals are abiding by well-established Court rules.

Last, the Court strongly cautions Attorneys Waite and Peck that they must abide by this

1 Court's scheduling orders. Scheduling Orders are put in place to ensure the timely resolution of
2 issues in a fair and efficient manner. Asking for forgiveness after the fact, rather than
3 permission before, wastes judicial resources that would be better spent dealing with the merits
4 of a case. In the future, should Attorneys Waite and Peck seek to file any motion for any client
5 after a Court established deadline, they must ask for permission first. However, in the interest
6 of efficient resolution of the issues, the Court will consider Defendants' pending Motion for
7 Summary Judgment on the merits.

8 **IT IS HEREBY ORDERED** that the Court's Order to Show Cause is discharged. The
9 Court declines to issue sanctions at this time.

10 **DATED** this 3rd day of February, 2014.

11
12
13 Gloria M. Navarro, Chief Judge
14 United States District Court
15
16
17
18
19
20
21
22
23
24
25